

**PHYSICAL THERAPY BOARD OF CALIFORNIA****Consumer Protection Services Program**

1418 HOWE AVENUE, SUITE 16, SACRAMENTO, CA 95825-3204
TELEPHONE (916) 561-8200 FAX (916) 263-2560 TOLL FREE 1-800-832-2251
INTERNET <http://www.ptb.ca.gov>
EMAIL cps@dca.ca.gov

November 24, 2003

Citation No. 03-04-0084

Joebert A. Tan, PT
8146 Mammoth Ave.
Panorama City, CA 01402

CITATION

Investigation of a complaint submitted revealed actions taken by you which violate sections of the law regulating the practice of physical therapy.

The Physical Therapy Board of California received a complaint alleging that you practiced as a physical therapist licensed applicant independent of a licensed physical therapist supervision at Rehab. Centre of Beverly Hills during the course of your Clinical Service requirement per section 2639 of the Business and Professions Code.

FIRST CAUSE FOR CITATION

1. 2630 of the Business and Professions Code

It is unlawful for any person or persons to practice or offer to practice, physical therapy in this state for compensation received or expected, or to hold himself or herself out as a physical therapist, unless at the time of so doing the person holds a valid, unexpired, and unrevoked license issued under this chapter.

On September 22, 2003 an interview with the investigator from the Department of Consumer Affairs, you admitted knowing that the physical therapy services provided by you were supposed to be supervised by a licensed physical therapist. You further stated that Mark Nolan, PT assigned your patient list in the morning and at the end of the day, you would turn in the patient list back to Mr. Nolan, PT for his review of the patients listed and co-signs. You indicated to the investigator that Mr. Nolan was usually present in the gym "observing".

Based on records reviewed by the Board's expert consultant, it was confirmed that you practiced physical therapy autonomously on the following patients¹:

¹. Numbers are used to identify each patient and to protect the patients' privacy. The full names will be provided upon.

Resident #2:

Physical Therapy Daily Progress - Entries dated 1/15/03, 1/16/03, 1/17/03 and 1/24/03 indicate you provided physical therapy services to this patient. No documentation or "co-signature" by a licensed physical therapist to document supervision or oversight.

Resident #21

PT Daily Progress - Entries dated 1/15/03, 1/16/03, 1/17/03, 1/24/03 indicate that you provided physical therapy services to this patient; however, there are no "co-signatures" by a licensed physical therapist to document supervision oversight.

Weekly Summary of Progress - weekly progress note entries dated 1/22/03. No documentation of a licensed physical therapist's review or supervision.

SECOND CAUSE FOR CITATION

2. 1399.10 of the California Code of Regulations

Supervision of Physical Therapist Licensed Applicants

You are subject to a Citation and Fine under this section of the CCR in that you engaged in providing physical therapy services autonomously without the supervision of a licensed physical therapist. The circumstances are as follows:

The facts and circumstances alleged in the First Cause for Citation are incorporated here as if fully set forth.

ORDER

Further, **you are ordered to pay a fine of \$1,200.00** to the Physical Therapy Board of California within 30 days after receipt of this Citation.

If you wish to contest all or any part of this Citation, complete the enclosed "Notice of Appeal - Request for Informal Conference" form and return it to this office within 10 days after receipt of this Citation. The date indicated on the order of abatement will be held in abeyance only for any violation(s) you wish to contest. The time to correct all uncontested violations will be adhered to as specified. In the alternative, you may, within 30 days after receipt of this Citation, request a formal administrative hearing before an administrative law judge under the Administrative Procedure Act.

Page Three
November 24, 2003

**FAILURE TO RETURN THE REQUEST FOR INFORMAL CONFERENCE FORM OR
TO REQUEST AN ADMINISTRATIVE HEARING WITHIN THE TIMES
INDICATED WILL WAIVE YOUR RIGHT TO ADMINISTRATIVELY CONTEST
OR APPEAL THIS CITATION.**

Administrative Fine

\$ 1,200.00

FOR YOUR PROTECTION AND TO ASSURE PROPER CREDIT,
PLEASE RETURN THE COPY OF THE CITATION
AND NOTE THE CITATION NUMBER ON YOUR CHECK
OR MONEY ORDER.

November 24, 2003
Date

Original Signed By:
STEVEN K. HARTZELL
Executive Officer



PHYSICAL THERAPY BOARD OF CALIFORNIA
Consumer Protection Services Program

1418 HOWE AVENUE, SUITE 16, SACRAMENTO, CA 95825-3204
TELEPHONE (916) 561-8200 FAX (916) 263-2560 TOLL FREE 1-800-832-2251
INTERNET <http://www.ptb.ca.gov>
EMAIL cps@dca.ca.gov

ORDER OF ABATEMENT

November 24, 2003

Citation Against: Joebert Tan, PT

Citation No. 03-04-0084

Item No. 1

Violation: Business and Professions Code Section 2630 .

Description:

It is unlawful for any person or persons to practice or offer to practice, physical therapy in this state for compensation received or expected, or to hold himself or herself out as a physical therapist, unless at the time of so doing the person holds a valid, unexpired, and unrevoked license issued under this chapter.

Item No. 2

Violation: 1399.10 of the California Code of Regulations

Supervision of Physical Therapist Licensed Applicants

Order of Correction

You are hereby ordered to abate this violation immediately and to cease and desist from further violation.

Failure to comply with the provisions of this Citation and Order of Abatement within 30 days of receipt may result in further legal action.